

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-013746

12/14/2016

HONORABLE LORI HORN BUSTAMANTE

CLERK OF THE COURT
T. Nosker
Deputy

JOSEPH MOMOT, et al.

KRYSTLE DELGADO

v.

SILKWORTH MANOR L L C, et al.

ADAM E HAUF

MINUTE ENTRY

The court has reviewed and considered the following:

- Defendants Expedited Motion to Continue Deadlines for Filing Reply Brief on Defendants Cross Motion for Summary Judgment and the Response
- Response to Expedited Motion to Continue Deadlines for Filing Reply Brief on Defendants Cross Motion for Summary Judgment
- Request to Have my Wife Debra Mulligan Represent Me and Our Company (Silkworth) toward a Dismissal
- Plaintiff's Motion to Strike
- Defendant Silkworth Institute, D.O., LLC, and Defendant Silkworth Institute XXV, LLC Amended Expedited Motion to Continue Deadlines for Filing Reply Brief on Defendant Silkworth Institute's Cross Motion for Summary Judgment and Response to Plaintiff's Motion for Sanctions
- Request for Telephonic Conference

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The court realizes all of these pleadings may not be fully briefed but deadlines are approaching and this case needs to move forward and deadlines need to be set in light of the pending trial date.

Motion to Continue

The court previously addressed a request to continue deadlines. Consistent with the previous ruling, the court will grant the Motions to Continue Deadlines.

IT IS ORDERED granting Defendants Expedited Motion to Continue Deadlines for Filing Reply Brief on Defendants Cross Motion for Summary and Defendant Sikworth Institute, D.O., LLC, and Defendant Sikworth Institute XXV, LLC Amended Expedited Motion to Continue Deadlines for Filing Reply Brief on Defendant Silkworth Institute's Cross Motion for Summary Judgment and Response to Plaintiff's Motion for Sanctions consistent with the Order that was filed on December 14, 2016. However, the deadline previously provided was Sunday, January 15. Monday, January 16 is Civil Rights Day. Therefore, the deadline for the Reply Brief on the Cross Motion and the Response will be **January 17, 2016**.

IT IS FURTHER ORDERED extending the deadlines for ALL DEFENDANTS and directing the filing of a Reply on Defendant's Cross Motion and a Response to the Motion for Sanctions on or before January 17, 2016.

Request

Defendant John Mulligan asks that his wife be allowed to represent himself and their company. Only licensed attorneys may appear on behalf of another individual pursuant to Rule 31, Rules of the Supreme Court of Arizona. Mr. Mulligan may appear *on his own behalf* but he may not have another individual who is not a licensed attorney appear on his behalf.

As to the "company" all corporate defendants must be represented by an attorney. In Superior Court, a corporation must be represented by a licensed attorney pursuant to Rule 31, Rules of the Supreme Court of Arizona.

It is unclear whether Mr. Hauf will continue to represent the corporate defendants. Mr. Hauf has indicated he "has not had any contact with the appropriate person at the Institute who has litigation authority but will do so in the next week." It is unclear why this has not occurred yet and the court questions why this has not been a priority for Mr. Hauf.

IT IS ORDERED directing Mr. Hauf to provide a Consent or Application to Withdraw as counsel of the Corporate Defendants OR a status report regarding his continued representation of the Corporate Defendants on or before **December 20, 2016**.

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IT IS FURTHER ORDERED denying the Request to Have My Wife Debra Mulligan Represent Me and Our Company (Silkworth) toward a Dismissal.

IT IS FURTHER ORDERED directing Silkworth Manor, LLC, Silkworth Holdings, LLC, Silkworth Institute XXV, LLC, and Sober Properties, LLC to retain a licensed attorney that enters an appearance in this matter on or before **December 30, 2016** if Mr. Hauf withdraws as counsel.

Plaintiff's Motion to Strike

Rather than respond to the "Request" regarding representation, Plaintiff filed a Motion to Strike.

Plaintiff complains the pleading is signed by Debra Mulligan and therefore not authorized. It appears the "Request" is also signed by John Mulligan who may represent himself; thus, the court will not strike the Request.

IT IS ORDERED denying Plaintiff's Motion to Strike.

Request for Telephonic Conference

The court wills set a telephonic conference after the deadlines regarding representation of the corporate defendants.

IT IS ORDERED granting the request for telephonic conference.

IT IS FURTHER ORDERED setting a telephonic conference on **January 6, 2017 at 11:00 a.m.**